

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-210-E - ORDER NO. 2005-534
OCTOBER 5, 2005

IN RE: Application of Duke Energy Corporation for) ORDER GRANTING
Authorization to Enter into a Business) MOTION TO
Combination Transaction with Cinergy) SUBSTITUTE
Corporation.) COUNSEL

This matter comes before the Public Service Commission of South Carolina (the Commission) on Motion to Substitute Counsel in the present proceeding. On July 15, 2005, Duke Energy Corporation (Duke Energy) applied to the Commission for authorization to enter into a business combination with Cinergy Corporation. The Electric Cooperatives of South Carolina, Inc. (ECSC), Central Electric Power Cooperative, Inc. (Central), and Saluda River Electric Cooperative, Inc. (Saluda) (collectively, Electric Cooperatives) filed a Petition to Intervene on August 26, 2005. Oral arguments concerning that Petition are currently scheduled for October 6, 2005.

On September 15, 2005, the Electric Cooperatives filed a Motion to Substitute Counsel for its representation in this proceeding. By Motion, the Electric Cooperatives request that Marcus J. Manos, Esquire, and J. David Black, Esquire, of Nexsen Pruet, LLC be relieved as counsel in this action and that Frank R. Ellerbe, III, Esquire, and Bonnie D. Shealy, Esquire, of Robinson, McFadden & Moore, P.C. be substituted as the attorneys of record for the Electric Cooperatives. At its regularly scheduled Commission

meeting on September 20, 2005, this matter was brought before the Commission for decision.

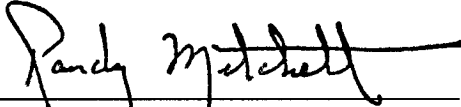
Upon consideration of the Electric Cooperatives' Motion to Substitute Counsel, the Commission determines that the Motion should be granted. All counsel has consented to the substitution, and we find that no party will be prejudiced by such substitution.

IT IS THEREFORE ORDERED THAT:

1. The Motion of the Electric Cooperatives of South Carolina Inc., Central Electric Cooperative, Inc., and Saluda River Electric Cooperative, Inc. to Substitute Counsel is granted, and Frank R. Ellerbe, III, Esquire, and Bonnie D. Shealy, Esquire, of Robinson, McFadden & Moore, P.C. are the attorneys of record for the Electric Cooperatives in the instant proceeding.


2. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)